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|-----------------|---|-------------------|-------------------|------|
| Application No. | : | 10/037,430        | Confirmation No.: | 7166 |
| Applicant:      | : | Mark J. Smith     |                   |      |
| Filed:          | : | October 25, 2001  |                   |      |
| TC/A.U.         | : | 3628              |                   |      |
| Examiner:       | : | Clement B. Graham |                   |      |
| Docket:         | : | 104.0010001       |                   |      |
| Customer No.:   | : | 38356             |                   |      |

**MS RCE**  
Commissioner for Patents  
P.O. BOX 1450  
Alexandria, VA 22313-1450

**COMMUNICATION FILED WITH RCE**

Dear Examiner Graham:

Applicant respectfully requests that the amendments to the claims filed on April 23, 2004 in the Response to Final Office Action dated June 23, 2004 be entered. Support for the claim amendments filed can be found throughout the application as originally filed. For example, support for the claim amendments can be found on page 13, lines 3-23, page 21 line 15 to page 22 line 9, page 24, line 5-28, and page 27, line 19-30 including Fig. 9.

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 659-9340 to help facilitate prosecution of this application.

**CERTIFICATE UNDER 37 CFR §1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS RCE Commissioner for Patents, P.O. BOX 1450 Alexandria, VA 22313-1450, on this 23 day of August, 2004.

Name

Signature

Joseph C. Huebsch

Respectfully Submitted,  
Mark J. Smith

By his Representatives,

E.J. BROOKS & ASSOCIATES, PLLC  
1221 Nicollet Avenue, Suite 500  
Minneapolis, MN 55403

By:

Joseph C. Huebsch  
Joseph C. Huebsch  
Reg. No. 42,673

Date: Aug. 23, 2004